

Please see my specific comments on the Biological Report for the proposed critical habitat designation for Southern Resident killer whales. Please feel free to contact me for electronic files of the documents I cite or for use of electronic images found within those documents, as well as any questions regarding my comments. I can be reached at the email listed below or at donna@beamreach.org at via cell phone at 206-331-1684.

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Donna DW Hauser comments on NOAA SRKW critical habitat plan

Specific comments regarding the *biological report*:

Page 13: Preliminary evidence (from appendix 2 of my thesis [Hauser 2006]) suggests that SRKW have slight preferences for deeper and steeper waters within core areas (defined in my thesis NOT necessarily the same locations you call “core”) than those throughout their summer range within the inshore waters of Washington and British Columbia. Largely, these areas are found within Haro Strait and south of Victoria in the entrance to the Strait of Juan de Fuca. Maps and figures describing these relationships can be found in Appendix 2 of Hauser (2006).

Page 20: J, K, and L pods exhibit notable similarities as well as differences in their fine-scale summer distribution patterns. While all exhibit similar high use of the Haro Strait region, particularly adjacent to the west side of San Juan Island ranging north, J and L pods also exhibit high use of unique regions. These areas are primarily located within Canadian waters, where J is using the region of Swanson Channel into Active Pass and L is using areas south of Vancouver Island in the Strait of Juan de Fuca uniquely relative to use by the other two pods. However, J also shows relative preference of northern Rosario Strait. Detailed description of these analyses, including maps and figures can be found in Chapter 3 of Hauser (2006).

Pages 20-21: I have been contacted by Kirie Pederson, long-time resident of Hood Canal (Dabob Bay), that J pod, in particular, was regularly sighted within Hood Canal by herself, family, and other “old timers” during the 1960s to 1980s. Apparently they have photos and video that can confirm some of these occasions. Kirie can be reached at kirie.pedersen@olypen.com.

Page 25: You can now cite Hauser et al. (In Press) as the validation study of the pager data.

Page 35, figure 6: Please use the latest figure from Hauser (2006) chapter one, and cite that the figure was prepared by Hauser et al. (In Press). A more appropriate figure caption would include that these are 2004 estimates of the total number of commercial whale watch vessels operating from ports in Washington and British Columbia, with data provided by Kari Koski at the Whale Museum.

General comments:

1. My research confirms the high use and core areas during summer within your proposed Area 1 Core Summer Area, although areas which I believe to additionally be “core areas” extend into Canadian waters.
2. Your research, my research, and Osborne (1999) all suggest that there are temporal patterns to SRKW use of Washington’s inshore waters. In particular, I think it’s quite possible and valid to impose dynamic temporal designations for critical habitat. For example, pager data shows no SRKW sightings outside North Puget Sound during May through September 1996-2001. It seems to me that Area

2 does not need to be designated throughout the year, but only October (possibly late September) through April. The US waters in the Strait of Juan de Fuca are a little trickier, because it's certainly not a high use region throughout, although there is low use in the area just south of Area 1 and nearer Victoria. Primarily, however, the northern (Canadian) portion of the Strait is favored by SRKW, particularly L pod. We have inadequate effort to evaluate which part of the Strait is preferred west of around Sooke on Vancouver Island.

Literature Cited

- Hauser, D. D. W. 2006. Summer space use of Southern Resident killer whales (*Orcinus orca*) within Washington and British Columbia. MS Thesis, School of Aquatic & Fishery Sciences. University of Washington, Seattle.
- Hauser, D. D. W., VanBlaricom, G. R., Holmes, E. E., and Osborne, R. W. In Press. Evaluating the use of whalewatch data in determining killer whale (*Orcinus orca*) distribution patterns. *Journal of Cetacean Research and Management*.